

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 83 of 1987

Date of decision: 24-7-1996

For Approval and Signature

The Hon'ble Mr. Justice S. K. KESHOTE

1. Whether Reporters of Local papers may be allowed to see the judgment?
2. To be referred to the Reporter or not?
3. Whether their Lordships wish to see the fair copy of the judgment?
4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 or any order made thereunder?
5. Whether it is to be circulated to the Civil Judge?

ZINABHAI K PARMAR

Versus

DIRECTOR GENERAL OF POLICE

Appearance:

MR P. R. Abichandani for Mr. YN OZA for Petitioner
Mr. N. N. Pandya for Respondent No. 1 to 3
None present for Respondent No. 4

CORAM : MR.JUSTICE S.K.KESHOTE
Date of Judgment: 24/07/96

ORAL JUDGMENT

Heard the learned counsel for the parties.

The petitioner who was working at the relevant time on the post of Director (Group II) in the Police Computer Centre at Gandhinagar has filed this writ petition challenging the action of respondents No.1 to 3 in giving promotion to respondent No.4 to the post of Director (Group I), Finger Print Bureau. The petitioner has come up with the case that he was the person who should have been given promotion and not respondent No.4. The petitioner claims himself to be more meritorious than respondent No.4 for promotion to the aforesaid post.

2. In view of the subsequent development which has taken place during the pendency of this special civil application it is not necessary to go into the merits of the contentions raised by the learned counsel for the petitioner. Learned counsel for the petitioner makes statement before this court that during the pendency of this special civil application respondent No.4 has retired from service and to the post which fell vacant due to his retirement the petitioner has been given promotion in the year 1994 with effect from 1993. In view of this statement, the only grievance of the petitioner which now remains is deemed date of promotion.

3. The interest of justice will be served if this writ petition is disposed of with the direction to respondents No.1 to consider the case of the petitioner for deemed date of promotion to the post of Director (Group I), Finger Print Bureau. In case he makes such a representation within a period of one month from today, appropriate order on the representation of the petitioner shall be made by respondent No.1 within a period of three months from the date of receipt of such representation. In case the claim of the petitioner for deemed date of promotion is not acceptable, respondent No.1 shall pass a reasoned order and a copy thereof shall be sent to the petitioner by registered post. Rule made absolute in the aforesaid terms. No order as to costs.